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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ERIK HERZFELD,

Plaintiff,

v.

JPMORGAN CHASE & CO.

Defendant.

Civil Action No. 1:07-cv-9439 DLC
ECF CASE

STIPULATION

Plaintiff Erik Herzfeld, by and through his counsel Paul Frank + Collins P.C., and defendant JPMorgan Chase Bank, N.A., ("JPMorgan Chase") by and through its counsel, JPMorgan Chase Legal Department, stipulate that plaintiff may amend his Complaint to reflect that JPMorgan Chase Bank, N.A. is the correct defendant in this case, as represented by the defendant in its November 26, 2007 Answer.¹ The parties further stipulate that the plaintiff does not need to serve the Amended Complaint on JPMorgan Chase and that JPMorgan Chase does not need to further answer the Amended Complaint.

Dated at New York, NY,
this 14th day of December, 2007.

JPMORGAN CHASE LEGAL
DEPARTMENT

By: *Stephanie E. Sowell*

Stephanie E. Sowell, Esq.
1 Chase Manhattan Plaza, 26th Floor
New York, New York 10081

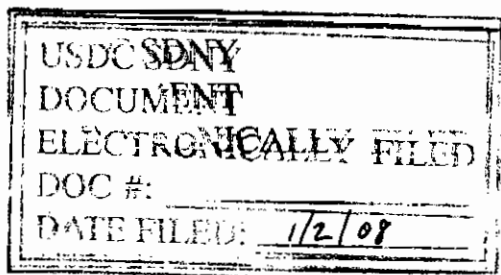
Dated at Burlington, VT,
this 18th day of December, 2007.

PAUL, FRANK + COLLINS P.C.

By: *John Sartore*

John T. Sartore
One Church Street
Burlington, Vermont 05402

¹ A copy of Mr. Herzfeld's Amended Complaint is attached as Exhibit A and a black-lined version reflecting the changes to his original Complaint is attached as Exhibit B.



So ordered.

James L. Ha
January 2, 2008

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